

NOTICE AND AGENDA
Apple Valley Utah
Planning Commission - Regular Meeting

Public notice is given that the Planning Commission of the Town of Apple Valley, Washington County, Utah will hold a **Planning Commission - Regular Meeting on Wednesday, February 13, 2019** at the **Apple Valley Town Hall**, 1777 N. Meadowlark Dr., Apple Valley, Utah, commencing at 6:00 PM. or shortly thereafter. In accordance with state statute, one or more members may be connected via speakerphone.

The Agenda for the meeting is as follows:

Call to Order/ Pledge of Allegiance/ Roll Call

Public Hearing on the Following:

- A. Hearing on Zone Change from OST to RE 5 for AV-1377-C. The parcel number for these lots has changed to AV-HWC-1 and AV-HWC-2. Holt/LeBaron.

Discussion and Action:

- B. Zone Change from OST to RE 5 for AV-1377-C. Current Parcel numbers AV-HWC-1 and AV-HWC-2. Holt/ LeBaron.
- C. Lot split for Parcel AV-1334-J. Separating the Little Creek Station and The RV Park.
- D. Lot Split for creation of parcel AV-1327-B from Parcel AV-1327.

Approval of Minutes:

- E. Approval of Minutes for November 28, 2018
- F. Meeting Minutes December 12, 2019
- G. Meeting Minutes January 9, 2019

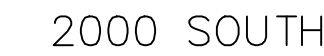
Adjournment

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS. MEETINGS

In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should notify Michelle Kinney at 435-877-1190.

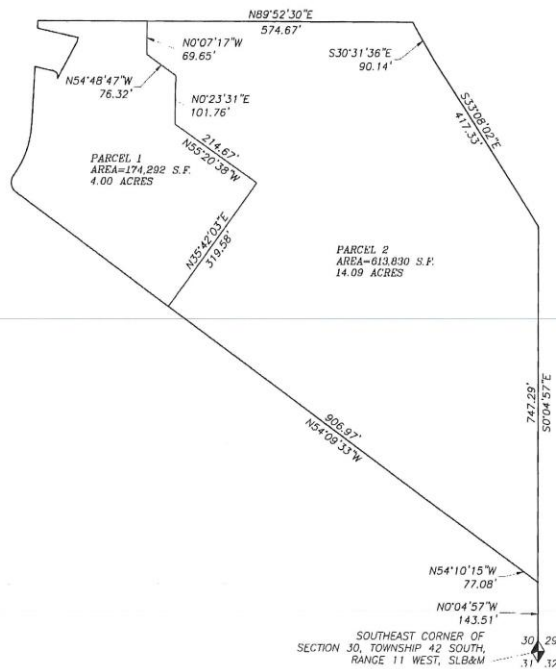
Backup material for agenda item:

Hearing for Zone Change for AV-1377-C lots one and two. The parcel numbers for these lots have changed to AV-HWC-1 and AV-HWC-2. Holt/LeBaron.



Backup material for agenda item:

Lot Split for Parcel AV-1334-J. Separating the Little Creek Station and the RV Resort.



RV RESORT LEGAL DESCRIPTION

BEGINNING AT A POINT LOCATED N00°04'57"W FEET ALONG THE SECTION LINE 143.51 FEET FROM THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE NO. U-59; THENCE N54° 10' 15"W ALONG SAID RIGHT-OF-WAY LINE 77.08 FEET; THENCE N54°09'33"W ALONG SAID RIGHT-OF-WAY LINE 906.97 FEET; THENCE DEPARTING SAID RIGHT OF-WAY AND RUNNING N35°42'03"E 319.58 FEET; THENCE N55°20'38"W 214.67 FEET; THENCE N00°23'31"E 101.76 FEET; THENCE N54°48'47"W 76.32 FEET; THENCE N00°07'17"W 69.65 FEET TO THE 1/16th LINE; THENCE N89°52'30"E ALONG THE 1/16th LINE 574.67 FEET; THENCE S30°31'36"E ALONG THE SOUTHWESTERLY LINE OF LOT 78, APPLE VALLEY RANCH SUBDIVISION PHASE 2 90.14 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 78; THENCE S33°08'02"E 417.33 FEET TO THE EAST LINE OF SAID SECTION 30; THENCE S00°04'57"E 747.29 FEET TO THE POINT OF BEGINNING.

CONTAINING 613,830 SQUARE FEET OR 14.092 ACRES.

Backup material for agenda item:

Approval of Minutes for November 28, 2018

OPENING

Chairperson Browning brought the meeting to order at 6:04 p.m. and led the Pledge of Allegiance.

PRESENT

Chairperson Cynthia Browning
Co-Chairperson Janet Prentice
Commissioner Forrest Kuehne
Commissioner Wenn Jorgensen
Town Recorder Michelle Kinney

EXCUSED

Commissioner Blake Seese

OTHERS

Chief David Zolg
Mayor Marty Lisonbee
Council Member Debbie Kopp
Council Member McLaughlin
Council Member Edwardsen
Margie Ososki SW Mosquito Board
Richard Ososki Code Enforcement

PUBLIC HEARING ON ZONE CHANGE FOR LITTLE CREEK RV PARK, PORTION OF PARCEL AV-1334-J NOT INCLUDING THE STATION AS DESCRIBED IN THE SUBMITTED RV RESORT LEGAL DESCRIPTION (APPENDIX C.)

OPEN HEARING: 6:04

MOTION: Chairperson Browning moves to open the hearing on the zone change for Little Creek RV Park portion of parcel AV 1334-J not including the station as described in the submitted RV Resort Legal Description

SECOND: Commissioner Prentice

VOTE:

Commissioner Prentice –	Aye
Commissioner Kuehne–	Aye
Chairperson Browning –	Aye
Commissioner Jorgensen–	Aye

The vote was unanimous and the motion carried.

HEARING:

Rich Kopp: Asks about the entrance and exit on highway 59. Mayor Lisonbee responds that acceleration lanes on the highway are needed. UDOT wants the entrance moved farther from the mailbox entrance.

Margaret Ososki asks the why the station is not included in the zone change. Chairperson Browning: The station is zoned commercial and they want to change the RV portion to RV Park. Mayor: we have to change part of the partial so that contains the RV Park because we cannot have an RV park in a commercial zone. It is still one piece of land with 2 zones.

Commissioner Kuehne asks who owns the land. Mayor Lisonbee responds that the current owner is in agreement to have this rezoned and has completed the affidavit. Commissioner Kuehne would like to have the affidavit changed to show who the property is owned by and who has control of the property. Town Attorney Shawn Guzman remarks that he doesn't think there is a problem with that part. The only question would be if the person signing has the authority to do so. If clarification is needed you may have the owner make a statement prior to the TC meeting that they support the zone change.

Commissioner Kuehne asks if the residents been notified? Mayor Lisonbee responds yes, some of them are here tonight.

Charles Canham asks who the actual owner is. Commissioner Kuehne mentions that it is little creek station LLC. Chairperson Browning mentions that it's an LLC and one of the managing members has signed the affidavit.

Rich Kopp asks would Commissioner Kuehne's concerns be addressed before it goes to Council. Commissioner Kuehne responds that he I would like to see the application cleaned up. Mayor: we can have this all cleaned up.

Chairperson Browning mentions that she is not convinced that the Affidavit is not filled out correctly. Commissioner Kuehne mentions that he does not fill the Affidavit is filled out correctly. Chairperson Browning says I am correct on this and it is filled out correctly. Shawn does agree that this is filled out correct.

Chairperson Browning mentions that it is important to make sure these forms are filled out correctly and all items are checked off on the form by staff as verification that all needed items have been submitted.

CLOSE HEARING

MOTION: Commissioner Prentice motions to close the public hearing

SECOND: Commissioner Jorgensen

VOTE: Chairperson Browning called for a vote:

Commissioner Prentice –	Aye
Commissioner Kuehne–	Aye

Chairperson Browning – Aye
Commissioner Jorgensen- Aye

The vote was unanimous and the motion carried.

DISCUSSION AND ACTION ON HEARING:

MOTION: Commissioner Jorgensen recommends that we forward to the Town Council for their approval with the completion of all the checkmarks on the application
SECOND: Commissioner Kuehne
VOTE:
Commissioner Jorgensen- Aye
Commissioner Prentice – Aye
Commissioner Kuehne– Aye
Chairperson Browning Aye

The vote was unanimous and the motion carried.

TIME STAMP: 18:32

APPROVAL OF MINUTES FOR 10.10.2018

A few spelling changes noted

MOTION: Chairperson Browning moves that we approve the minutes for Oct 10, 2018.
SECOND: Commissioner Jorgensen
VOTE: Commissioner Jorgensen- Aye
Commissioner Prentice – Aye
Commissioner Kuehne– Aye
Chairperson Browning – Aye

The vote was unanimous and the motion carried.

WORK MEETING WITH DISCUSSION ON GENERAL PLAN

TIMESTAMP: 20:20

During the work meeting Commissioners discussed the general plan including where they should plan for certain types of business and homes as well as the types of business we would like to bring into town and where they should be built. They also discussed the need for a zoning map that can be updated by town personnel. These are a few of the other items that were discussed.

- Where to place commercial in conjunction with residential housing.
- The Map categories should be more general than the zoning map.
- The map needs to be enlarged and include streets.
- Add color for High density housing area. This will be needed for future growth.

- Add color for recreational/resort/tourism type business to serve those coming and going from Zion and Gooseberry areas. This could include business like repelling, bike shops and touring companies.
- Commissioner Kuehne mentioned the need for a written General Plan. Town resident Bruce Hubrecht mentioned to the mayor that he is willing to help front the money up to \$50,000 for a well thought out professionally put together General Plan. The money would be paid back through a payment plan. The mayor mentions that he will get with the Utah League and find some professionals to help put this together and see what it will take and how much it will cost.

TimeStamp: 54:04

**ADJOURNMENT
TIME STAMP**

MOTION: Commissioner Prentice motions to adjourn
SECOND: Chairperson Browning
VOTE: Chairperson Browning called for a vote:

Commissioner Jorgensen –	Aye
Commissioner Prentice –	Aye
Commissioner Lisonbee –	Aye
Chairperson Browning -	Aye

The vote was unanimous and the motion carried.

Meeting adjourned at 7:00 pm.

Date approved: _____

Cynthia Browning, Chairperson

ATTEST BY: _____
Michelle Kinney, Recorder

Backup material for agenda item:

Meeting Minutes December 12, 2019

OPENING

Chairperson Browning brought the meeting to order at 6:01 p.m. and led the Pledge of Allegiance.

PRESENT

Chairperson Cynthia Browning
Co-Chairperson Janet Prentice
Commissioner Kuehne
Commissioner Wenn Jorgensen
Commissioner Seese

Town Recorder Michelle Kinney

EXCUSED

OTHERS

Ben Billingsley Town Accountant
Chief David Zolg
Mayor Marty Lisonbee
Council Member Debbie Kopp
Margie Ososki SW Mosquito Board
Richard Ososki Code Enforcement
Tish Lisonbee Events Chairperson

PUBLIC HEARING ON SUBDIVISION PLAT AMENDMENT FOR AV-1-2-29-310, AV-AVR-3-8, AV-1330-E MAKING THESE THREE PARCELS INTO 2 PARCELS NUMBERED AV-1-2-29-310 (3.1 ACRES) AND AV-AVR-8 (8.16 ACRES). LOCATED AT OR NEAR 1386 N MOUNT ZION DR. OWNERS MARTY AND TISH LISONBEE

OPEN HEARING:

MOTION: Commissioner Prentice moves to open the hearing for subdivision plat amendment for AV-1-2-29-310, AV-AVR-3-8, AV-1330-E making these three parcels into 2 parcels numbered AV-1-2-29-310 (3.1 ACRES) and AV-AVR-8 (8.16 ACRES).

SECOND: Chairperson Browning
VOTE: Chairperson Browning called for a vote:
Commissioner Prentice – Aye

Commissioner Seese -	Aye
Commissioner Kuehne—	Aye
Chairperson Browning –	Aye
Commissioner Jorgensen-	Aye

The vote was unanimous and the motion carried.

HEARING:

Marty Lisonbee addresses the commission and public. He discusses the need to allow access into a land locked piece of land. No flag lot.

CLOSE HEARING:

MOTION: Chairperson Browning moves to close the public hearing on plat amendment AV-1-2-29-310, AV-AVR-3-8, AV-1330-E making these three parcels into 2 parcels numbered AV-1-2-29-310 (3.1 ACRES) and AV-AVR-8 (8.16 ACRES).

SECOND: Commissioner Prentice
VOTE: Chairperson Browning Called for a vote:
Commissioner Prentice – Aye
Commissioner Seese - Aye
Commissioner Kuehne— Aye
Chairperson Browning – Aye
Commissioner Jorgensen- Aye

The vote was unanimous and the motion carried.

TIME STAMP: 6:00

DISCUSSION AND ACTION ON PUBLIC HEARING FOR SUBDIVISION PLAT AMENDMENT FOR AV-1-2-29-310, AV-AVR-3-8, AV-1330-E. OWNERS MARTY AND TISH LISONBEE

Commissioner Seese doesn't think it is a good idea to have AG in a residential area. He would like to see rural estate zone buffer AG.

Commissioner Kuehne mentions that this 3 acre lot doesn't meet the minimum for 5 acre AG requirement. But as of now we are not here for rezone.

Commissioner Seese asks if they would consider changing it. Marty says he is hesitant to do that because of the limit on garage space. And he doesn't want to pay to change the zone when it is zoned what they want.

MOTION: COMMISSIONER KUEHNE MOVES TO APPROVE THIS CHANGE AND FORWARD IT ON TO THE TOWN COUNCIL FOR APPROVAL FOR AV-1-2-29-310, AV-AVR-3-8, AV-1330-E OWNERS MARTY AND TISH LISONBEE

SECOND: Commissioner Prentice

VOTE: Chairperson Browning called for a vote:
Commissioner Jorgensen- Aye
Commissioner Prentice – Aye
Commissioner Seese - Aye
Commissioner Kuehne– Aye
Chairperson Browning- Aye

The vote was unanimous and the motion carried.

**DISCUSSION AND ACTION ON PRELIMINARY SITE PLAN REVIEW FOR MILES MARK SUBDIVISION
INCLUDING PARCELS AV-1319-E AND AV-1319-A. STANDARD DEVELOPMENT
TIME STAMP: 13:45**

Mayor Lisonbee distributes staff comments on this site plan. Owner wants to put in 5 parcels. Commissioner Kuehne mentions that they have problems with access for this area if they are going to use Rome Way as a primary access. They have 18 lots there currently. Fire Chief mentions that international fire code states that you can have 30 lots without a second access.

There are 60 acres up there. Frank Lindhardt shares his concern about ownership of the land they plan on using for the road. Standard Development Engineer mentions that they have purchased or are in the process of purchasing the parcel that will abut to Rome way. The owner will get an affidavit to prove ownership seems the county record on ownership has not yet been updated for these parcels.

Shawn mentions that the land will have to be in your name.

Commissioner Seese asks if they have had any perc tests up there for septic.

Town Attorney Guzman indicates if they are doing a preliminary site plan review and approving this then we will need to plans with contingencies.

Commissioner Seese asks what is going on the road that was being cut in up on the hillside - That isn't happening anymore.

Commissioner Kuehne asks if the access from the East could become the primary access at some point.

Chairperson Browning mentions that if they use Rome Way they will need to improve the road Frank Lindhardt: they will have to make a temporary turn around that meets fire code.

Chief: they will need to work with the water district on generators for water on the upside of the mountains.

Mayor: they had an agreement with the gooseberry mesa area to use generators.

Commissioner Seese requests that they come back with answers to the questions given to them on the staff comments documents. He also requests time for the commission to review the information as well.

Rasmussen: this list really helps us see what the town expects.

Commissioner Kuehne: Would like to know how they will solve the issue of current town policy and access to Highway 59. Rasmussen- On the master plan we have the road planned. As things progress we will need to get the easements in. We may need to work with the attorneys to create a development agreement for roads.

Shawn mentions that we would prefer to have the road dedicated.

The Commission will follow up on this another day after they have more answers for the questions posed and the commissioners have time to think about the project.

DISCUSSION AND ACTION ON PRELIMINARY SITE PLAN REVIEW FOR REDSTONE SUBDIVISION INCLUDING PARCELS AV-1345, AV-1327, AV-1326, AV-1346, AV-1348-A, AV-1348-B, AV-1349, AV-1359. STANDARD DEVELOPMENT

TIMESTAMP 34:45

Rasmussen mentioned they are working with UDOT to create a safe access on and off highway 59. We need to figure out the exact location where the highway will meet up with Main Street.

Commissioner Seese mentions that he believes the BLM has an invested interest in this because of all the mountain bike trails in the area.

Rasmussen also mentions that the county wants this road in and is working with Rockville to get Main Street done.

Commissioner Prentice mentions that the county is trying to make a second entrance into Zion National Park.

Rasmussen we can go through each of the items that are mentioned on the staff comments. We will take baby steps to get things done.

Commissioner Kuehne is wondering which ones are the priorities. Rasmussen said the cabins and RV Park. Then the subdivisions

Rasmussen they also want to start on the things that are going to bring in money.

ADJOURNMENT

TIME STAMP 44:45

MOTION: Commissioner Seese motions to Adjourn

SECOND: Commissioner Prentice

VOTE: Chairperson Browning called for a vote:

Commissioner Jorgensen –	Aye
Commissioner Prentice –	Aye
Commissioner Seese -	Aye
Commissioner Kuehne–	Aye
Chairperson Browning -	Aye

All vote aye

MOTION: Commissioner Seese motions to reopen the meeting

SECOND: Commissioner Kuehne
VOTE: Chairperson Browning called for a vote:

Commissioner Jorgensen –	Aye
Commissioner Prentice –	Aye
Commissioner Seese -	Aye
Commissioner Kuehne–	Aye
Chairperson Browning -	Aye

Commissioner Seese asks if someone has been hired to look at development plans.
Frank Lindhardt mentioned this has already been done.

MOTION: Commissioner Seese motions to Adjourn
SECOND: Commissioner Prentice
VOTE: Chairperson Browning called for a vote:

Commissioner Jorgensen –	Aye
Commissioner Prentice –	Aye
Commissioner Seese -	Aye
Commissioner Kuehne–	Aye
Chairperson Browning -	Aye

The vote was unanimous and the motion carried.

No meeting on December 26th.

Meeting adjourned at 6:46 pm.

Date approved: _____

Cynthia Browning, Chairperson

ATTEST BY: _____
Michelle Kinney, Recorder

Backup material for agenda item:

Meeting Minutes January 9, 2019

OPENING

Chairperson Browning brought the meeting to order at 6:01 p.m. and led the Pledge of Allegiance.

PRESENT

Chairperson Browning
Co-Chairperson Janet Prentice
Commissioner Kuehne
Commissioner Wenn Jorgensen on Phone

Town Recorder Michelle Kinney

EXCUSED

Commissioner Seese

OTHERS

Chief Zolg
Mayor Marty Lisonbee
Council Member Debbie Kopp
Council Member McLaughlin
Council Member Denny Bass
Margie Ososki SW Mosquito Board

DISCUSSION ITEMS

A. DISCUSSION ON RV PARK ZONE AND CAMPING ZONE

Chairperson Browning asks for discussion on Camping and/or Resort Zone. This zone would be for camping and RV'S.

Frank Lindhardt mentions this ordinance would allow you to get rid of the other zones. This is by permitted use only. This zone would basically leave everything as conditional use.

Mayor shares his concern that the state has asked us to get rid of conditional uses. Conditional uses open us up to law suits. This could be an issue if we allow something for one person with this zone and we don't allow it for someone else.

Frank Lindhardt we could still use this to create a zone that allows all camping type uses.

Chairperson Browning mentions that that idea would make it a multiple use zone. She comments that this is a very rough draft and will need to be brought up in a work meeting.

PRELIMINARY SITE PLAN REVIEW

B. DISCUSSION ON MILES MARK DEVELOPMENT WITH PRELIMINARY SITE PLAN REVIEW

Time Stamp: 8:50

Update on what has been happening with the items we asked them to work on. Karl Rasmussen gives a presentation on this.

- 1- No dedicated access to this project. –They are willing to work with the town on this during the preliminary plat process. Travis is working with property owners where this road will need to be extended.
- 2- Water Model – We will submit this with the preliminary plat approval.
- 3- Road Cross section- We request to use no curb and gutter because they are the one acre lots. 2 ½ inches of asphalt 6 inches of road base 50 foot right of way, 26 foot pavement with the ditches leading to landscape. St. George uses a corridor width of 50's unless on a ledge overlook, which moves it to 45. Minor collector for Redstone we would do 60's
- 4- Lot Dimension frontage all look to be within acceptable parameter
- 5- Drainage will be addressed during the plat process. Including a drainage study. The water will be contained on top of the hill.
- 6- Willing to work with the town on access during the preliminary plat process.
- 7- For expansion the stub road will be through lot 8. Proposed road is on new map supplied tonight.
- 8- The plat will be reviewed by a licensed surveyor.
- 9- We will create a 75 foot setback from the ledge.

In conclusion, the property will need a rezone.

Fire Chief mentions he talked with the fire Marshall. If it is possible to get a secondary access up there then he would like to move this forward. This is the only project that has put forth any effort with the secondary access.

Karl mentions that during the zone change phase they would enter into a development agreement with the town for all the roads etc.

Commissioner Kuehne shares his feeling that town policy currently doesn't allow for a subdivision unless there is a secondary access.

Mr. Rasmussen asks if adding a secondary access to Main Street meets this criteria.

Mayor Lisonbee suggests that a development agreement would include all the necessary requirements. Mike Versamak has looked at this and he doesn't see any current issues with this plan.

Commissioner Kuehne would like to talk more about the road going to the east. Mr. Rasmussen mentions the importance of looping roads to eliminate dead ends. After zone change the preliminary plat will show the road.

Commissioner Kuehne mentions that Rome Avenue is less than ideal for the current traffic and would like to see improvements made.

MOTION: Commissioner Prentice motions to allow Miles Mark to apply for a zone change and schedule a public hearing for the zone change for AV-1319-A.
SECOND: Commissioner Kuehne

VOTE: Chairperson Browning called for a vote:

Commissioner Prentice -	Aye
Commissioner Kuehne-	Aye
Chairperson Browning -	Aye
Commissioner Jorgensen-	Aye

The vote was unanimous and the motion carried.

C. DISCUSSION WITH PRELIMINARY SITE PLAN REVIEW FOR REDSTONE DEVELOPMENT

Time Stamp: 40:24

Mr. Rasmussen discusses the site plan review for this area. Current plan is for 6 phases. The area closest to the road will be SF.5 and moving further out will be RE 1.0. Phase one would be closest to the street and move back. They show a future road but will need to work this out with another property owner. This would need to be included in a development agreement and be worked out in the preliminary plat process. Traffic study and water analysis will be done after the zone change.

MOTION: Cynthia Browning motions to schedule a public hearing for Zone change for parcel AV-1345, AV- 1327, AV-1326, AV-1346, and AV-1348-A.

SECOND: Commissioner Prentice

VOTE: Chairperson Browning called for a vote:

Commissioner Prentice -	Aye
Commissioner Jorgensen-	Aye
Commissioner Kuehne-	Aye
Chairperson Browning -	Aye

The vote was unanimous and the motion carried.

Pamela Quayle shares her concern that turn lanes be finished before homes are sold or cabins rented.

Chairperson Browning mentions that hearings will have precedence on the next meeting.

APPROVAL OF MINUTES

D. MEETING MINUTES FOR NOVEMBER 14, 2018

Time Stamp: 1:00

MOTION: Commissioner Kuhene moves to approve the minutes of November 14, 2018 for the Town of Apple Valley Planning Commission as written.

SECOND: Chairperson Browning

VOTE: Chairperson Browning called for a vote:

Commissioner Prentice –	Aye
Commissioner Seese -	Aye

Commissioner Kuehne–	Aye
Chairperson Browning –	Aye

The vote was unanimous and the motion carried

ADJOURNMENT

MOTION: Commissioner Prentice motions to adjourn

SECOND: Chairperson Browning

VOTE: Chairperson Browning called for a vote

Commissioner Seese-	Aye
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Commissioner Prentice –	Aye
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Commissioner Kuehne–	Aye
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Chairperson Browning –	Aye
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The vote was unanimous and the motion carried

Meeting adjourned at 7:03 pm.

Date approved: _____

Chairperson Browning

ATTEST BY: _____
Michelle Kinney, Recorder